



AP19 Rec'd PCT/PTO 22 MAY 2009

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q98835

Klaus LENHART

Appln. No.: 10/511,294

Group Art Unit: 3679

Confirmation No.: 2233

Examiner: Ernesto Garcia

Filed: October 15, 2004

For: ADJUSTABLE-LENGTH TUBE, IN PARTICULAR FOR POLES

PETITION FOR ACCEPTANCE OF MODEL UNDER 37 C.F.R. § 1.91

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby petitions for acceptance of the model attached as Exhibit A to the Second Declaration of Klaus Lenhart, concurrently filed with this Petition.

Explanation of Purpose for Model

In compliance with the provisions of 37 C.F.R. § 1.91 (a)(3)(ii), the submission of the model as an Exhibit to the Declaration of Klaus Lenhart is necessary to (1) refute rejections by the Examiner that the presently pending claims do not conform to the original disclosure by demonstrating the physical structure and operation of the invention as originally disclosed, and (2) demonstrate that the Examiner's statement of the operation of the invention is incorrect. The model will be used for purposes of an appeal, should the application be finally rejected.

The accompanying Second Declaration of Klaus Lenhart and Amendment under 37 C.F.R. § 1.111 provide details as to the manner in which the model provides support for Applicant's position.

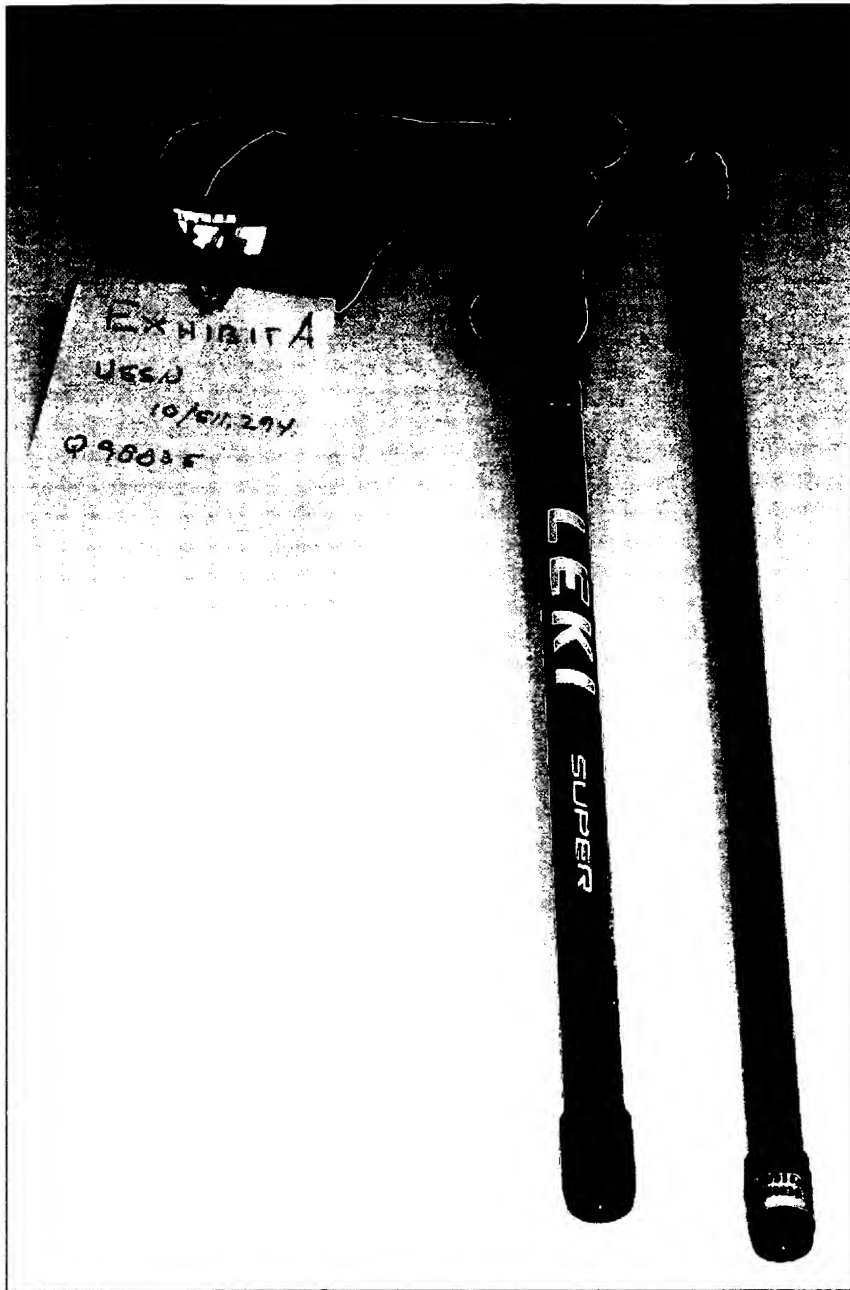
Color Photographs

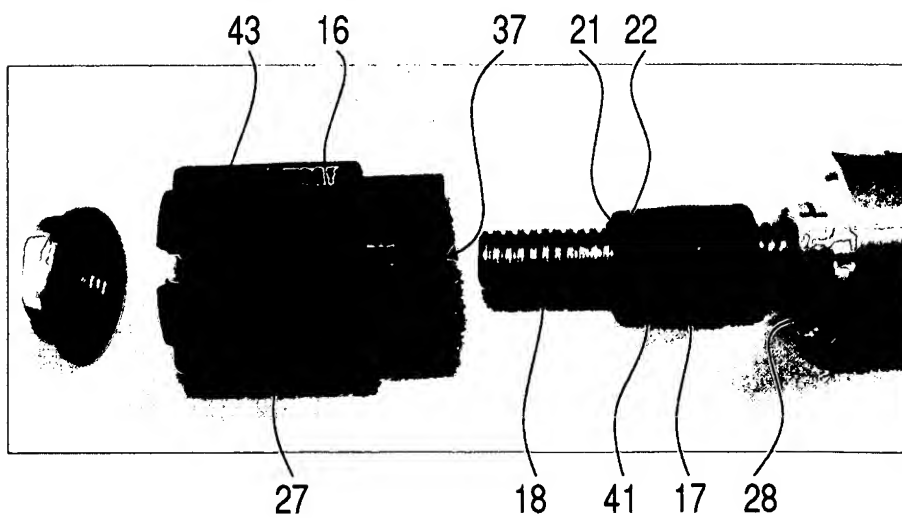
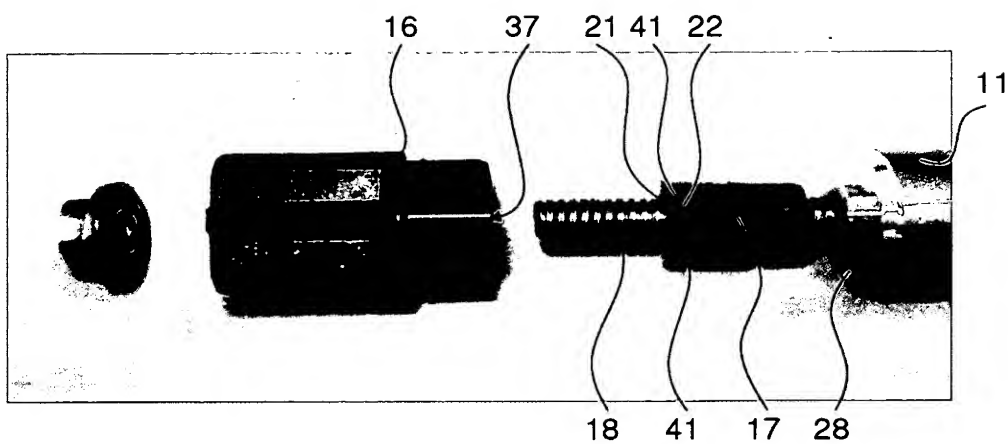
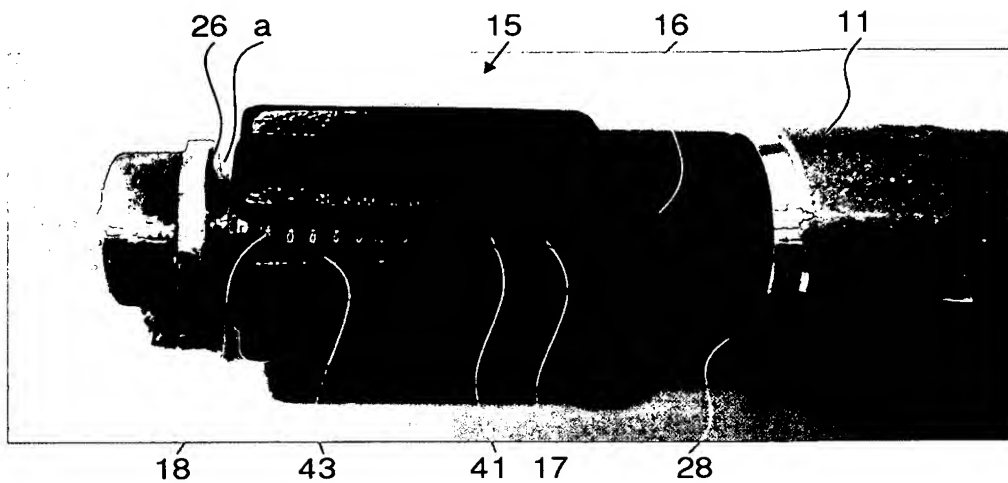
In compliance with the provisions of 37 C.F.R. § 1.91 (c), color photographs of the model as assembled in one piece, disassembled into two pieces, and disassembled at the interface follow:

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Listing of Reference Numbers

The following is a list of reference numbers for parts identified in the foregoing figures:

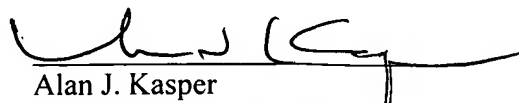
- 11 inner tube
- 15 spreading device
- 16 spreadable element
- 17 interior element
- 18 adjusting screw
- 21 internal threaded bore
- 22 outer cone
- 26 limit stop disposed on the free end of the adjusting screw
- 27 single inner cone
- 28 limit stop disposed at the end of the inner tube
- 37 non-threaded bore
- 41 protruding fins
- 43 axial slot
- a gap distance

Fee

In compliance with the provisions of 37 C.F.R. § 1.91 (a)(3)(i), the Office is hereby directed and authorized to charge the statutory filing fee under 37 C.F.R. § 1.17(h) of \$130.00 to Deposit Account No. 19-4880.

You are also directed and authorized to charge or credit any difference or overpayment to Deposit Account No. 19-4880. The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §1.16, 1.17 and 1.492, which may be required during the entire pendency of the application to Deposit Account No. 19-4880. A duplicate copy of this transmittal letter is attached.

Respectfully submitted,


Alan J. Kasper
Registration No. 25,426

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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Dated: May 22, 2009